

PUBLIC SAFETY COMMITTEE

February 4, 2016

NOT APPROVED

Committee Members Present: P. Curran, D. Healy, S. Burt, J. Hopkins, K. LaForge, A. McGraw, C. Crandall

Others Present: L. Ballengee, H. Budinger, D. Decker, L. Edwards, D. Fanton, K. Graves, G. Green, S. Grusendorf, R. Hollis, K. Hooker, C. Ivers, B. Kelley, J. Luckey, J. Margeson, T. Miner, K. Monroe, B. Riehle, T. Ross, R. Scott, K. Slep, R. Starks, R. Whitney

Media Present: B. Quinn, *Wellsville Daily Reporter*

Call to Order: The meeting was called to order at 11:00 a.m. by Public Safety Committee Chairman Phil Curran.

Approval of Minutes

A motion was made by Legislator Burt, seconded by Legislator Healy, and carried to approve the Public Safety Committee minutes of January 6, 2016.

Public Defender

Monthly Report

Public Defender Barbara Kelley pre-filed her monthly report. Ms. Kelley noted they are busy, and have more criminal cases than family court cases. She noted normally they are about equal, but family court cases decreased and criminal cases increased. Ms. Kelley stated misdemeanors increased significantly. Legislator Healy asked if the 102 applications received represented the number of defendants. Ms. Kelley stated they count the number of people, not the number of charges. Legislator Healy asked if any are repeat offenders. Ms. Kelley said she has been in the Public Defender's Office for 25 years, and she knows many of them and their families. She commented years ago they had 3 generations of sex offenders; the grandfather, father, and son. Legislator Healy said when he worked at the County Jail, there was a father and his boys in jail at the same time. Legislator Burt asked what was VOP and SORA. Ms. Kelley explained VOP means violation of probation, and SORA is Sex Offender Registration Act.

Ms. Kelley stated she is monitoring the State Legislature over the next few months concerning the State taking over the cost of public defense. She noted if she hears anything, she will let the Committee know. Legislator Hopkins asked if it was just the cost or if it included administration as well. Ms. Kelley stated the statute only takes about the cost. She believes the cost will be graduated. The first year would be 25 percent, then 50 percent, and so on until after 4 years the State would pay 100 percent. She believes if this is the case, the State would have some say in administration.

Emergency Management and Fire

Monthly Report

Director Jeff Luckey pre-filed his monthly report. Mr. Luckey noted his family had 3 generations of firemen in Short Tract with 100 years of service; his dad, himself, and his son. Mr. Luckey attended the 2016 Bakken Crude Oil Seminar and Tabletop Exercise in Pittsford, New York. He noted New York State has some foam trailers that have been pre-deployed

across the State. Mr. Luckey stated the transportation of the Bakken Crude Oil has dramatically decreased. He noted the County is not directly on the transportation line. Legislator Decker asked for more information about Bakken. Mr. Luckey said it comes from North Dakota and the lower part of Canada. He stated what is unusual about Bakken is that when it is transported, it is volatile because it has been trapped in shale and the gases haven't been released.

Mr. Luckey reported their spring training classes have started, and it is going well. Legislator Hopkins asked how many people were registered for the Emergency Medical Technician (EMT) classes. Mr. Luckey said registration has remained consistent. He said the Critical Care class enrollment has increased because there is discussion at the State level to eliminate the Critical Care level. Usually they have about 10 to 12 people, but they have a little less than 20 people. Legislator Decker asked if there are any towns or villages that are short-staffed, and if so, what is the procedure to cover that area. Mr. Luckey responded yes, but the towns take care of that issue by adding another town or agency as mutual aid on the first tone. He noted in April there is Recruit New York where fire departments are encouraged to have open houses. Mr. Luckey also stated he is working with Chautauqua County on a study regarding recruitment and retention.

He stated he appointed Bob Bowers from Andover to fill the vacancy in District 4 due to the untimely death of Dave Wallace. He added this took effect February 1, 2016. Legislator Curran asked if there was any fall out. Mr. Luckey stated he has not heard anything. Legislator Curran asked about the building space. Mr. Luckey stated it is fine, and they have seen an increase in traffic from the fire and EMS services.

Accept and Re-Appropriate Homeland Security Funds Contract #C969140

Mr. Luckey requested a resolution to accept and re-appropriate Homeland Security grant money not spent in 2015 as follows:

Appropriations

A3467.207	Homeland Security – Equip. (GIS Aerial Photography Pckg)	\$41,500
A3647.207	Homeland Security – Equip. (Personal Protective Equip. PPEs)	\$ 988
A3647.416	Homeland Security – Contractual Services (Cell Phone Connectivity)	<u>\$ 802</u>
	Total:	\$43,290

Revenue

A3647.3306.EM14	Homeland Security St Aid Emerg Serv	\$43,290
-----------------	-------------------------------------	----------

Legislator Decker asked about the GIS Aerial Photography Package. Mr. Luckey stated it is used for Pictometry, which is five times better than Google Earth. It would be used by his office, the Sheriff's office, and 911. Since November, Mr. Luckey learned New York State is going to do a flyover at no cost. So, he is looking at other options to use that money. He will ask the committee to redirect those funds once they have identified another option. Legislator Healy asked if the New York State pictures will be sufficient. Mr. Luckey replied yes, and noted the samples they have seen seemed very good. Legislator Burt made a general comment about grants. He said individuals have high taxes, and the State keeps giving the County grants. He said the County can take a stand, and send the grant back to try to reduce individual taxes. However, he noted other Counties wouldn't do that, so it is a "Catch 22." Legislator Burt said that since money is there, they will have to take it and use it. The request was approved on a motion by Legislator McGraw, seconded by Legislator Healy, and carried. **Refer to Ways & Means**

Accept and Re-Appropriate HS Public Safety Contract

Mr. Luckey requested a resolution to accept and re-appropriate Homeland Security Public Safety Contract grant money not spent in 2015 as follows:

Appropriations

A3655.447	HS Public Safety Contract	\$90,000
	(Update County's Multi-Jurisdictional Multi-Hazard Mitigation Plan)	

Revenue

A3655.3306.HZMT	St Aid – HS PDM #C000755	\$90,000
-----------------	--------------------------	----------

Mr. Luckey reported the Multi-Hazard Mitigation Plan needs to be updated in 2016. He noted the total cost of the grant is \$120,000. The County share is \$30,000. He said the in-kind labor is applied towards the \$30,000. Mr. Luckey stated they sent out a request for proposal (RFP), and the last day to submit a proposal is February 16, 2016. The request was approved on a motion by Legislator Healy, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

STOP-DWI**Monthly Report**

Coordinator Linda Edwards pre-filed her monthly report. Ms. Edwards said she would like to highlight a couple of items. She stated she attended the Dan Barkley Basketball Showcase at Alfred University with the prescription drug abuse exhibit, giveaways, and educational items. She said the event was well received with about 2,600 people attending the showcase. Ms. Edwards stated Allegany County teams won 6 out of the 7 games against Steuben County teams. Legislator Healy commented he had the opportunity to attend the basketball showcase. He said it was a good event, and thanked all those involved. He said he was able to view Linda's exhibit, and thanked her. Ms. Edwards said she also spoke at a Driver's Education class at Genesee Valley Central School.

Ms. Edwards reported she is working on the 2015 Driving While Intoxicated (DWI) statistics. She said they had 201 arrests this year, which is down 3 percent from last year. She also said that the next Victim Impact Panel (VIP) on Tuesday, February 16, has 61 defendants. She noted there are 20 defendants more than what they have had in the past. Ms. Edwards said they get referrals from Cattaraugus County because they do not have a VIP. Ms. Edwards stated she met with the Cattaraugus County District Attorney to provide information because they wanted to create their own VIP. However, as far as she knows they have yet to create one because they are still getting referrals. Finally, Ms. Edwards announced the Top Cop Dinner at Moonwinks will be on Thursday, March 31, 2016, at 6:00 p.m. She noted invitations will be going out in the next few days.

Legislator Decker asked about the prescription drug abuse exhibit. He said he attended the Heroin abuse seminar at the New York State Association of Counties (NYSAC). He said there are a number of cases where individuals start Heroin after abusing prescription drugs. Ms. Edwards said the effort to get drugs off the street including pill drops result in the pills not being readily available. Heroin is a cheaper alternative, and easier to get. She added Assemblyman Joe Giglio and the Governor are focusing on Heroin. Legislator Decker stated

Assemblyman Giglio is the head of a task force. He said at the seminar they talked about seeing a difference because of the pill drops, but it is still too high. Mr. Edwards talked about Narcan and the Good Samaritan Law. She noted there is a movement to look at the law from a rehabilitation and treatment stand point by placing a 72-hour hold on people who had Narcan administered. She said it is still under discussion.

Accept STEPS in Safety Grant

Ms. Edwards requested a resolution to accept a STEPS in Safety Grant (Safety on Wheels) from the Governor's Traffic Safety Program from October 1, 2015, to September 20, 2016, in the amount of \$3,000. No budget adjustment is necessary.

Appropriations		
A3114.402	Traffic Program – Mileage	\$ 200
A3114.408	Traffic Program – General Supplies – Helmets	\$1,400
A3114.421	Traffic Program – Educational Materials	\$ 800
A3114.452	Traffic Program – Promotional Items	<u>\$ 600</u>
	Total:	\$3,000
Revenue		
A3114.3389.00	St Aid – Other Public Safety	\$3,000

The request was approved on a motion by Legislator Hopkins, seconded by Legislator Burt, and carried. **Prepare Resolution**

Accept and Appropriate NYS STOP-DWI Grant for Crackdown Enforcement

Ms. Edwards requested a resolution to accept and appropriate the NYS STOP-DWI Foundation for the Crackdown Enforcement for the federal fiscal year October 1, 2015, to September 30, 2016, in the amount of \$30,779.

Appropriations		
A3141.449	STOP-DWI Program Public Safety Contracts (Crackdown Enforcement)	\$30,779
Revenue		
A3141.1589.CE	NYS STOP-DWI Crackdown Enforcement	\$30,779

Legislator Burt asked for more information. Ms. Edwards said the Crackdown Grant multiplies their normal enforcement money. They budget \$25,000 to spend on enforcement with local police departments, and this grant is for \$30,779. This grant works around specified holiday time frames to provide Driving While Intoxicated patrols in the community. She announced the next patrol will be Friday, February 5, 2016, because of the Super Bowl. The request was approved on a motion by Legislator Healy, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

District Attorney

Monthly Report

District Attorney Keith Slep pre-filed his monthly report. He reported he attended the District Attorney's Association meeting in New York City. Mr. Slep stated Heroin was a big topic. Also, last month he met with U.S. Attorney Bill Hochul. Mr. Slep credits the success in

the reduction of meth labs with aggressive law enforcement in the County, and the assistance of the U.S. Attorney. Mr. Slep said they cannot address Heroin the same way they address meth because there is not enough jail space. Also, it is manufactured overseas. He discussed his beliefs about the relationship between the drug companies who are making money, and the Heroin epidemic. He noted the drug companies don't try to get people off drugs. Instead, the companies produce more drugs to deal with side effects.

Legislator Graves asked if Heroin was an epidemic in Allegany County. Mr. Slep believes it is an epidemic everywhere. Legislator Healy asked how Heroin comes into the Country. Mr. Slep stated it comes through Canada, the Mohawk Reservation, and the Port of New York. He said most of it comes from Afghanistan. Legislator Decker stated he spoke with Assemblyman Giglio, and he said it was coming from Canada down Interstate 390.

Mr. Slep talked about the change in age of criminal responsibility. A new proposal requires every crime and charge for 17 and 18 year olds go to a new designated family court, except for vehicle and traffic charges. His concern is you can punch your teacher in school, and it will go to family court. But, a person driving recklessly will go to adult court, and possibly have a criminal record for the rest of their lives. Legislator Graves asked if he thinks it will pass. Mr. Slep said he does not know.

Probation

Monthly Report

Director Bob Starks pre-filed his monthly report. Mr. Starks said his numbers have increased slightly in some areas. He reported the Partners for Prevention in Allegany County are scheduling a meeting in March to address the Heroin problem in Allegany County.

Accept and Approve Electronic Monitoring Service Agreement

Mr. Starks requested a resolution to approve the Electronic Monitoring Service Agreement No. 011216CW1 between BI Incorporated and the Allegany County Probation Department. This lease agreement is essentially the same as the prior lease agreement, but with the following modifications:

1. The Probation Department's cost per unit per active day has been reduced from \$1.10 to \$1.05.
2. The Probation Department now will have the ability to lease Homeguard Digital Cell Units for defendants who can't install a landline.

The contract period for this agreement is one (1) year from the effective date, and will renew automatically for succeeding periods of one (1) year each on the anniversary of its original effective date unless otherwise terminated as provided for within the agreement. Mr. Starks said the previous contract expired in June of 2015. He was waiting for BI to send a new agreement. Mr. Starks stated he personally tried the Homeguard Digital Cell Unit. He thought it worked well, and feels comfortable using it. Mr. Starks said it is more expensive for an individual to use the digital cell unit. It is \$20 a week for a landline, and \$30 for the cell unit. He said they lease the units as needed. The request was approved on a motion by Legislator McGraw seconded by Legislator Burt, and carried. **Refer to Ways & Means**

Weights & Measures

Monthly Report

Director Gilbert Green pre-filed his monthly report. Legislator Burt asked how many Elm Street Academy interns Mr. Green takes out with him. Mr. Green said depending on availability, he takes one intern out once a week. He noted he is working with his second intern this year because the first one graduated. Legislator Burt asked about the benefits for the interns. Mr. Green said they can see their education is useful, and they can work on their math skills. Legislator Burt asked about future employment for the interns. Mr. Green said they can sign up for the summer youth program.

Sheriff's Office

Monthly Report

Sheriff Rick Whitney pre-filed his monthly report. Legislator Graves asked about the administrative overtime. Sheriff Whitney stated it is down about 12 percent. Legislator Burt commented it is consistently down. Sheriff Whitney said they have trimmed as much as they can. Sheriff Whitney stated they are low on part-time employees. He added they have a civil service exam scheduled for April, and he hopes to bring in some new people. Legislator Hopkins asked how many they will need because of retirements. Sheriff Whitney believes they will have about three to four employees who are going to retire. Legislator Healy asked how many employees are eligible to retire. Sheriff Whitney believes about six to seven are eligible this year.

Legislator Decker asked about the capacity of the jail. Sheriff Whitney responded they are rated at 164, but they have a capacity of 150 because of the "keep separates." Legislator Decker asked if it would be beneficial to be at capacity, and if there is any way to bring in more prisoners. Sheriff Whitney said they usually take what they are offered. Legislator Healy said the New York State Department of Corrections has classification regulations that prohibit being at full capacity.

Accept and Re-Appropriate 2015 LETPP Homeland Security Grant

Sheriff Whitney requested a resolution to re-appropriate unspent funds for the 2015 LETPP Homeland Security Grant. The original resolution for this grant was #213-15. The funds should be re-appropriated as follows:

Appropriation		
A3654.210	FY2015 SLETPP	\$17,500
Revenue		
A3652.3306.SH15	2015 LETPP #T969152	\$17,500

The request was approved on a motion by Legislator Healy, seconded by Legislator Burt, and carried. **Refer to Ways & Means**

Accept and Appropriate ACT II Batterers Program Funding

Sheriff Whitney requested a resolution to accept and appropriate \$2,275 from Accord Corporation for the continuation of the ACT II Batterers Program. The funds should be appropriated as follows:

Appropriation		
A3117.449	ACT II Batterers Program	\$2,275

Revenue		
A3117.2260.00	ACT II Batterers Program	\$2,275

The request was approved on a motion by Legislator Burt, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

Accept and Appropriate Public Safety Answering Points Sustainment Grant

Sheriff Whitney requested a resolution to accept and appropriate the FY 2015-2016 Public Safety Answering Points Sustainment Grant in the amount of \$161,547. This grant will be used to update much needed electronic equipment in the 911 center. The funds should be appropriated as follows:

Appropriation		
H3024.200	PSAP-911 FY16	\$161,547
Revenue		
H3024.3097.00	St Aid – PSAP – 911 Public Safety Answering Points Sustainment Grant	\$161,547

Legislator Burt asked for further explanation of the grant. Sheriff Whitney said the grant will be used to update equipment at the 911 Center. He said there was a problem with generators at the jail last year, and the 911 Center was down for a short period of time. So, they are going to purchase a stand-alone generator for the 911 Center. Sheriff Whitney said it also includes a license for the CAD system in the 911 Center, upgraded computers and back-ups, and updated network and servers. The request was approved on a motion by Legislator Healy, seconded by Legislator McGraw, and carried. **Refer to Ways & Means**

Approval of Volunteer Firemen's Association of Allegany County Agreement

A resolution was requested to approve the Volunteer Fireman's Association of Allegany County agreement. The County agrees to furnish the Firemen's Association the sum of \$2,000 heretofore appropriated, for the fiscal year of 2016, to be used for the purpose of expenses incurred for fire training schools for training firefighters in accordance with the provisions of Section 224 of the County Law. The request was approved on a motion by Legislator Healy, seconded by Legislator LaForge, and carried. **Prepare Resolution**

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 11:58 following a motion by Legislator Burt, seconded by Legislator Healy, and carried.

Respectfully submitted,
Rebecca Scott, Secretary to the Clerk of the Board
Allegany County Board of Legislators